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December 5, 2019

Via ECF

Hon. Eric Vitaliano
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

RE: *Government Employees Ins. Co., et. al. v. Axial Chiropractic, PC, et. al.*
Docket No.: 19 cv 05570 (ENV) (SMG)

Dear Judge Vitaliano:

This firm represents the co-defendants Bruce Bromberg, D.C., Axial Chiropractic, P.C., Action Chiropractic, P.C., Glenn Rosenberg, D.C., and Glenn Rosenberg, D.C., P.C. d/b/a South Shore Spinal Care in the above-captioned matter. Pursuant to Your Honor's Individual Practice Rules, plaintiff respectfully submits this Letter in response to plaintiff's pre-motion conference letter (ECF Docket #32). In light of the cases referenced in plaintiff's letter, and additional research, these defendants elect to withdraw their Counter-Claim. Defendants have filed a Notice of Dismissal pursuant to FRCP 41 (c) (at ECF Docket #33) and as such plaintiff's request for a pre-motion conference should be rendered moot.

Thank you for your consideration in this regard.

Respectfully Submitted,


Eitan Nof

copy to: Rivkin Radler
(Via ECF)